

# SUBJECT INDEX

[Titles of Articles are printed in CAPITALS]

## ADMINISTRATIVE LAW

Abuse of process and judicial review  
(Andrew L.-T. Choo) 546

Challenging the vires of regulations  
(David Feldman and Nick Wikeley) 544

Revenue prosecutions and judicial review  
(Alastair R. Mowbray) 365

THE EUROPEAN CONVENTION ON HUMAN RIGHTS: TIME TO INCORPORATE  
(The Rt. Hon. Sir Thomas Bingham) 390

Visitors and error of law  
(H. W. R. Wade) 155

## AGENCY

Divided loyalties in the law of agency  
(Ian Brown) 206

## ARBITRATION

The *Channel Tunnel* case and the law of international arbitration  
(Claude Reymond) 337

## AUSTRALIA

Australian limitation law—relieving the burden  
(Nicholas J. Mullany) 215

Contempt, unsafe convictions and bias  
(C. J. Miller) 39

Disclosure of risks in proposed medical treatment  
(F. A. Trindade) 352

Election broadcasts in Australia  
(Eric Barendt) 168

Modernising the law of restitution  
(Peter Birks) 164

RETHINKING FAMILY PROPERTY  
(Simon Gardner) 263

Statutory caps on damages in Australian conflict of laws  
(Brian R. Opeskin) 533

Telephone calls and hearsay in Australia  
(T. Y. Chin) 45

## BANKRUPTCY

Preferences and defective floating charges  
(D. D. Prentice) 371

## BUILDING

ASSIGNMENT OF RIGHTS TO SUE FOR BREACH OF CONSTRUCTION CONTRACTS  
(Ian Duncan Wallace) 82

## CANADA

Compensation for negligently inflicted pure economic loss: some Canadian views  
(B. S. Markesinis) 5

Privity of contract in the Supreme Court of Canada  
(S. M. Waddams) 349

Restitutionary relief for incontrovertible benefits  
(Mitchell McInnes) 521

RETHINKING FAMILY PROPERTY  
(Simon Gardner) 263

## COMPANY LAW

COMPANIES AND EMPLOYEES: COMMON LAW OR SOCIAL DIMENSION?  
(Lord Wedderburn of Charlton) 220

Deprivation of property  
(Thomas Allen) 202

Preferences and defective floating charges  
(D. D. Prentice) 371

Voting agreements and corporate statutory powers  
(Giora Shapira) 210

WHAT DID *RUSSELL V. NORTHERN BANK DEVELOPMENT CORPORATION LTD.* DECIDE?  
(B. J. Davenport) 553

Written resolutions of private companies  
(H. W. Higginson) 16

## COMPARATIVE LAW

JUDGE, JURIST AND THE STUDY AND USE OF FOREIGN LAW  
(B. S. Markesinis) 622

## CONFLICT OF LAWS

Jurisdiction clauses and judicial attitudes  
(Adrian Briggs) 382

Statutory caps on damages in Australian conflict of laws  
(Brian R. Opeskin) 533

## CONTEMPT OF COURT

- Contempt, unsafe convictions and bias  
(C. J. Miller) 39

## CONTRACT

- ASSIGNMENT OF RIGHTS TO SUE FOR BREACH OF CONSTRUCTION CONTRACTS  
(Ian Duncan Wallace) 82

- Contributory negligence in contract: ammunition for the Law Commission  
(Andrew Burrows) 175

- Ousting the jurisdiction  
(Alan Berg) 35

- Ousting the jurisdiction  
(John Kendall) 385

- Privity of contract in the Supreme Court of Canada  
(S. M. Waddams) 349

- Profits of breach of contract  
(Peter Birks) 518

- An unconscionable bargain  
(John Cartwright) 530

- Unreasonable deposits  
(Hugh Beale) 524

- Unreasonableness and the Unfair Contract Terms Act  
(Ian Brown and Adrian Chandler) 41

## CONVEYANCING AND SALE OF LAND

- Contracts for the sale or disposition of land  
(David Wilde) 191

- Rectification of registered titles  
(R. J. Smith) 187

## COURTS

- MISCARRIAGES OF JUSTICE AND THE COURT OF APPEAL  
(Richard Buxton) 66

- Ousting the jurisdiction  
(Alan Berg) 35

- Ousting the jurisdiction  
(John Kendall) 385

- Public law, restitution and the role of the House of Lords  
(J. Beatson) 1

- Rigours of the circuit 57

## CRIMINAL LAW

- Appropriation in theft: the last word?  
(Simon Gardner) 194

- Assault, sado-masochism and consent  
(B. Bix) 540

## CRIMINAL LAW—cont.

- Bland*: crossing the Rubicon?  
(J. M. Finnis) 329

- Bodily harm in the Court of Appeal  
(David Kell) 199

- Contempt, unsafe convictions and bias  
(C. J. Miller) 39

- MISCARRIAGES OF JUSTICE AND THE COURT OF APPEAL  
(Richard Buxton) 66

- Recklessness refined  
(Simon Gardner) 21

## DAMAGES

- The scope of exemplary damages  
(Andrew Burrows) 358

- Substitute services and the Fatal Accidents Act  
(David Kemp) 173

## DEFAMATION

- Defamation: political speech  
(John G. Fleming) 12

## ELECTION LAW

- Election broadcasts in Australia  
(Eric Barendt) 168

## EMPLOYMENT

- COMPANIES AND EMPLOYEES: COMMON LAW OR SOCIAL DIMENSION?  
(Lord Wedderburn of Charlton) 220

## EQUITY

- CONSTRUCTIVE TRUSTS OF HOMES—A BOLD APPROACH  
(David Hayton) 485

- CONSTRUCTIVE TRUSTS—A NOTE OF CAUTION  
(Patricia Ferguson) 114

- The meaning of notice in tracing claims  
(Michael Bryan) 368

- Names and equitable liens  
(W. M. C. Gummow) 159

- RETHINKING FAMILY PROPERTY  
(Simon Gardner) 263

- An unconscionable bargain  
(John Cartwright) 530

## EUROPEAN COMMUNITIES

- Effective remedies in EEC law before the House of Lords?  
(Aidan Robertson) 27

- FRANCOVICH, REMEDIES AND THE SCOPE OF DAMAGES LIABILITY  
(P. P. Craig) 595

- MARLEASING: WHAT IS ALL THE FUSS ABOUT?  
(Nick Maltby) 301

## EVIDENCE

- A suitable case for treatment  
(C. F. H. Tapper) 48

- HEARSAY: WHETHER AND  
WHITHER?

(P. B. Carter) 573

- Telephone calls and hearsay in  
Australia

(T. Y. Chin) 45

## FAMILY LAW

- Conventions and convenience  
(S. M. Cretney) 363

- THE EFFECT OF THE STATUTORY  
CHARGE ON LEGALLY AIDED  
MATRIMONIAL LITIGATION  
(Stephen Shute) 636

- Fresh life for presence?  
(S. M. Cretney) 538

- Litigation may seriously endanger  
your welfare: *locus standi* and  
the family

(S. M. Cretney) 177

- RETHINKING FAMILY PROPERTY  
(Simon Gardner) 263

- White coats or flak jackets? Doc-  
tors, children and the courts—  
again

(John Eekelaar) 182

## INJUNCTION

- The end of *The Siskina*?  
(Lawrence Collins) 342

- MAREVA INJUNCTIONS AND SECUR-  
ITY FOR JUDGMENT IN A FRAME-  
WORK OF INTERLOCUTORY  
REMEDIES

(A. A. S. Zuckerman) 432

## INSURANCE

- Double insurance and payment of  
another's debt

(Daniel Friedmann) 51

- The duty to disclose in insurance  
law

(Howard N. Bennett) 513

- Names and equitable liens  
(W. M. C. Gummow) 159

## INTERNATIONAL LAW

- The *Channel Tunnel* case and the  
law of international arbitration

(Claude Reymond) 337

- Conventions and convenience  
(S. M. Cretney) 363

- THE EUROPEAN CONVENTION ON  
HUMAN RIGHTS: TIME TO INCOR-  
PORATE

(The Rt. Hon. Sir Thomas  
Bingham) 390

- Judicial determination of foreign  
"government" status

(Benedict Kingsbury) 377

## INTERNATIONAL LAW—cont.

- THE NORWEGIAN SHIPS IN SWEDEN  
1941/42

(The Rt. Hon. Lord Roskill) 59

## LANDLORD AND TENANT

- CERTAINTY OF LEASEHOLD TERMS  
(Peter Sparkes) 93

## LIMITATION OF ACTIONS

- Australian limitation law—reliev-  
ing the burden

(Nicholas J. Mullany) 215

- Trespass and limitation  
(Andrew McGee) 356

## MAURITIUS

- Deprivation of property  
(Thomas Allen) 202

## MEDICINE

- Bland*: crossing the Rubicon?  
(J. M. Finnis) 329

- Disclosure of risks in proposed  
medical treatment

(F. A. Trindade) 352

- White coats or flak jackets? Doc-  
tors, children and the courts—  
again

(John Eekelaar) 182

## MENTAL HEALTH

- Police powers of entry and the  
Mental Health Act 1993

(David Feldman) 375

## NEGLIGENCE

- Compensation for negligently  
inflicted pure economic loss:  
some Canadian views

(B. S. Markesinis) 5

- Contributory negligence in con-  
tract: ammunition for the Law  
Commission

(Andrew Burrows) 175

- Disclosure of risks in proposed  
medical treatment

(F. A. Trindade) 352

- The solicitor and the disappointed  
beneficiary

(John G. Fleming) 344

- UNRELIABLE ASSUMPTIONS IN THE  
MODERN LAW OF NEGLIGENCE

(Kit Barker) 461

## NEW ZEALAND

- Interlocutory and final orders: a  
new kernel in an old chestnut?

(Andrew Beck) 30

- RETHINKING FAMILY PROPERTY  
(Simon Gardner) 263

## POLICE

- Police powers of entry and the  
Mental Health Act 1993  
(David Feldman) 375

## PRACTICE AND PROCEDURE

- Abuse of process and judicial  
review  
(Andrew L.-T. Choo) 546
- Being a nuisance  
(S. M. Cretney) 361
- Costs and court time  
(Lawrence Collins) 172
- Costs and court time—a reply  
(Steven Fennell) 550
- Interlocutory and final orders: a  
new kernel in an old chestnut?  
(Andrew Beck) 30
- THE EFFECT OF THE STATUTORY  
CHARGE ON LEGALLY AIDED  
MATRIMONIAL LITIGATION  
(Stephen Shute) 636

- MAREVA INJUNCTIONS AND SECUR-  
ITY FOR JUDGMENT IN A FRAME-  
WORK OF INTERLOCUTORY  
REMEDIES  
(A. A. S. Zuckerman) 432

## PROPERTY

- Deprivation of property  
(Thomas Allen) 202

## REAL PROPERTY

- CONSTRUCTIVE TRUSTS—A NOTE OF  
CAUTION  
(Patricia Ferguson) 114
- CONSTRUCTIVE TRUSTS OF HOMES—  
A BOLD APPROACH  
(David Hayton) 485
- RETHINKING FAMILY PROPERTY  
(Simon Gardner) 263

## RESTITUTION

- Modernising the law of restitution  
(Peter Birks) 164
- Public law, restitution and the role  
of the House of Lords  
(J. Beatson) 1
- RESTITUTION OF TAXES, LEVIES AND  
OTHER IMPOSTS: DEFINING THE  
EXTENT OF THE WOOLWICH PRIN-  
CIPLE  
(J. Beatson) 401

RESTITUTION—*cont.*

- Restitutionary relief for incontro-  
vertible benefits  
(Mitchell McInnes) 521
- UNJUST ENRICHMENT, CONTRACT  
AND THE THIRD RECEPTION OF  
ROMAN LAW IN SCOTLAND  
(Robin Evans-Jones) 663
- REVENUE  
Public law, restitution and the role  
of the House of Lords  
(J. Beatson) 1
- RESTITUTION OF TAXES, LEVIES AND  
OTHER IMPOSTS: DEFINING THE  
EXTENT OF THE WOOLWICH PRIN-  
CIPLE  
(J. Beatson) 401
- Revenue prosecutions and judicial  
review  
(Alastair R. Mowbray) 365

## SCOTLAND

- UNJUST ENRICHMENT, CONTRACT  
AND THE THIRD RECEPTION OF  
ROMAN LAW IN SCOTLAND  
(Robin Evans-Jones) 663

## SHIPPING AND NAVIGATION

- THE NORWEGIAN SHIPS IN SWEDEN  
1941/42  
(The Rt. Hon. Lord Roskill) 59

## SOLICITORS

- The solicitor and the disappointed  
beneficiary  
(John G. Fleming) 344

STATUTORY  
INTERPRETATION

- Perfection—but at what cost?  
(B. J. Davenport) 149

## UNIVERSITIES

- Visitors and error of law  
(H. W. R. Wade) 155

## WILLS

- Land as a *donatio mortis causa*  
(P. V. Baker) 19
- The solicitor and the disappointed  
beneficiary  
(John G. Fleming) 344

